

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Paul L. Horton et al.

Docket No.: 2226.0

Serial No.: 10/710,528

Examiner: Bidwell, J.

Filed: July 19, 2004

Group Art Unit: 3651

FOR: ZERO BACK PRESSURE CONVEYOR

PETITION UNDER 37 CFR § 1.313(c)(2)

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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OFFICE OF PETITIONS

Dear Sir:

Applicant hereby petitions under 37 CFR § 1.313(c)(2) to have Application Serial Number 10/710,528, withdrawn from issue for the Examiner to consider a submission pursuant to a Request for Continued Examination (RCE) under 37 CFR § 1.114.

On August 11, 2005, the Examiner mailed applicant a Notice of Allowance and Fee(s) Due (PTOL-85) in this application. On November 8, 2002, applicant's undersigned attorney faxed the Fee(s) Transmittal (PTOL-85 Part B), along with authorization to charge the fees to Deposit Account 12-0090. On November 15, 2005, applicant's undersigned attorney received the results of the European Search Report of a counterpart patent application on file in the European Patent Office. The applicant would like to have some of the references cited in the European Search Report considered by the Examiner.

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For this reason, applicant petitions for the withdrawal of Serial Number 10//710,528 from issue so that he might file the attached Request for Continued Examination under 37 CFR § 1.114 for the Examiner to consider the submission of the attached Information Disclosure Statement (IDS), PTO/SB/08A, and the listed references. (This petition is being submitted by fax to the Petitions Division, along with the RCE, IDS, PTO/SB/08A, and the references.)

Respectfully submitted,
Kyle J. Sedlacek

Date: Nov. 21, 2005

By:

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